

## Message Text

UNCLASSIFIED

PAGE 01 HAMILT 00114 232125Z  
ACTION SNM-02

INFO OCT-01 EUR-12 ISO-00 AGRE-00 HEW-06 MED-03 H-02  
SS-15 DEAE-00 CIAE-00 INR-07 IO-13 JUSE-00  
NSAE-00 TRSE-00 USIA-15 NSC-05 OES-06 OMB-01  
DODE-00 L-03 /091 W  
-----232126Z 062974 /46

P 231914Z MAR 77  
FM AMCONSUL HAMILTON  
TO SECSTATE WASHDC 2337

UNCLAS HAMILTON 114  
E. O. 11652: N/A

TAGS: SNAR

SUBJECT: SUMMARY OF BERMUDA LEGAL PROVISIONS GOVERNING  
MARIHUANA POSSESSION

REF: STATE 057902

1. FOLLOWING IS SUMMARY PROVIDED BY ATTORNEY GENERAL OF BERMUDA IN LETTER DATED MARCH 18. QUOTE BERMUDA LAW REGARDING POSSESSION OF CANNABIS (MARIJUANA) IS EFFECTIVELY CONTAINED IN SECTION 6 READ WITH SECTION 27, OF THE MISUSE OF DRUGS ACT, 1972. SIMPLE POSSESSION FOR PERSONAL USE IS PUNISHABLE IN THE MAGISTRATES COURT BY A MAXIMUM FINE OF \$1,000 OR IMPRISONMENT FOR 12 MONTHS, OR BOTH. IF CHARGED WITH THIS OFFENCE IN THE SUPREME COURT AND UNLIMITED FINE OR UP TO FIVE YEARS IMPRISONMENT, OR BOTH, CAN BE IMPOSED. POSSESSION WITH INTENT TO SUPPLY IS A SEPARATE OFFENCE PUNISHABLE IN THE MAGISTRATES COURT WITH A FINE OF UP TO \$5,000, THREE YEARS IMPRISONMENT, OR BOTH. IN THE SUPREME COURT THIS OFFENCE CAN DRAW AN UNLIMITED FINE OR UP TO TWENTY YEARS IMPRISONMENT, OR BOTH. IN PRACTICE SIMPLE POSSESSION OF SMALL QUANTITIES OF CANNABIS ARE INVARIABLY PROSECUTED IN MAGISTRATES COURT WHERE THE CUSTOMARY PENALTY

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 HAMILT 00114 232125Z

IS A FINE RANGING BETWEEN \$100 AND \$1,000 IN MOST CASES, BASED ON THE QUANTITY OF THE DRUG POSSESSED. POSSESSION WITH INTENT TO SUPPLY OF SMALL QUANTITIES OF CANNABIS ARE GENERALLY ALSO TAKEN IN THE MAGISTRATES COURT. THESE CASES RESULT IN SUBSTANTIALLY HIGHER FINES WHICH CAN RANGE UP TO \$3,000 OR SHORT TERMS OF IMPRISONMENT - UP TO TWELVE MONTHS. POSSESSION WITH INTENT TO SUPPLY OF LARGE QUANTITIES OF

CANNABIS ARE AS A MATTER OF PROSECUTION POLICY TAKEN TO THE SUPREME COURT, WHERE ON CONVICTION PENALTIES OF THREE TO SEVEN YEARS IMPRISONMENT ARE GENERAL. UNQUOTE

2. THE FOREGOING RELATES TO SIMPLE POSSESSION AND POSSESSION WITH INTENT TO SUPPLY (I. E. TRAFFICKING). SECTION 4 (1) (A) MAKES IT UNLAWFUL FOR A PERSON TO IMPORT A CONTROLLED DRUG, IN WHICH CASE THE PROVISIONS OF SECTION 27 (1) (B) ARE APPLICABLE. THIS LATTER MAKES A PERSON LIABLE TO A FINE OF UP TO FIVE THOUSAND DOLLARS OR IMPRISONMENT FOR A TERM NOT EXCEEDING THREE YEARS OR BOTH.

3. THESE PROVISIONS ARE STRICTLY ENFORCED BY THE LOCAL POLICE ON BOTH LOCAL AND FOREIGN (TOURIST) OFFENDERS. THE COURTS ARE LIKEWISE APPLYING FINES CONSISTENTLY BASED ON \$100 PER GRAM OF CANNABIS. IN CONGENS RECENT EXPERIENCE EACH CASE OF IMPORTATION HAS BEEN SUCCESSFULLY PROSECUTED IN SUMMARY PROCEEDINGS AND FINES LEVIED ALONG LINES DESCRIBED ABOVE.

RAND

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REPORTS, LAW, DRUG CONTROL, MARIJUANA, US CONGRESSIONAL HEARINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 23-Mar-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977HAMILT00114  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770100-0200  
**Format:** TEL  
**From:** HAMILTON  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770332/aaaabbhh.tel  
**Line Count:** 84  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 48a5aab3-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION SNM  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 57902  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 27-Sep-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3027162  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SUMMARY OF BERMUDA LEGAL PROVISIONS GOVERNING MARIHUANA POSSESSION  
**TAGS:** SNAR, BD  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/48a5aab3-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009